

Menstrual Products

Covered Products

- Pads
- Tampons
- Menstrual cups
- Menstrual underwear and reusable pads

Goals

The goal of this specification is to provide menstruating individuals with more sustainable products that promote human and environmental health.

Background

In July of 2018, Public Health Law § 267 went into effect and requires all public schools to provide free menstrual products in bathrooms to students. This legislation has led to increased purchasing of these products by State entities including SUNY and CUNY colleges.

In October of 2021, General Business Law § 399-aaaa, the Menstrual Product Labeling Law, went into effect, and requires “each package or box containing menstrual products sold in this state shall contain a plain and conspicuous printed list of all ingredients which shall be listed in order of predominance. Such list shall either be printed on the package or affixed thereto.”

Given the research that has been done regarding ingredients included in menstrual products, this specification lays out the requirements that purchasers shall look for when purchasing from vendors.

Definitions

Per- and polyfluoroalkyl substances (PFAS) - A class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

Specifications

For pads and tampons, affected entities shall, to the maximum extent practicable purchase products that comply with the following:

- Disclose all intentionally added ingredients, including those in coatings and adhesives
- 100% cotton

- Recycled cardboard applicator or none
- Fragrance free
- No nanomaterials
- No antimicrobial additives
- Totally Chlorine-free (TCF) bleach process or unbleached (Note: elemental chlorine free, or ECF, does not qualify)

For menstrual cups affected entities shall, to the maximum extent practicable purchase products that comply with the following:

- Disclose all intentionally added ingredients
- 100% medical grade silicone, – no latex included
- Dye-free
- Non-disposable

For period underwear and reusable pads, affected entities shall, to the maximum extent practicable purchase products that comply with the following:

- Disclose all intentionally added ingredients, including those in coatings and dyes
- No intentionally added PFAS
- Non-disposable
- No silver or other antibacterial coating treatments

Packaging

Packaging shall comply with Environmental Conservation Law section 37-0205.

Packaging shall not contain inks, dyes, pigments, adhesives, stabilizers, or any other additives to which any lead, cadmium, mercury, or hexavalent chromium is intentionally added or contain incidental concentrations of lead, cadmium, mercury or hexavalent chromium which together are greater than 100 parts per million by weight (0.01%).

New York State encourages affected entities to adopt the following:

- The use of bulk packaging.
- The use of reusable packaging.
- The use of innovative packaging that reduces the weight of packaging, reduces packaging waste, or utilizes packaging that is a component of the product.
- That all packaging remain the property of the supplier and not become the property of the affected state entity under any circumstance or condition. The vendor shall certify that the packaging material will be reused, recycled, or composted, and managed in compliance with applicable local, state, and federal laws.

- Packaging that maximizes recycled content and/or meets or exceeds the minimum post-consumer content level for packaging in the U.S. Environmental Protection Agency Comprehensive Procurement Guidelines.
- Packaging that is recyclable or compostable.